

---

# Public Notice

---

**Applicant:**  
Rainaldi Brothers, Inc.

**Date:**  
Published: February 27, 2003  
Expires: March 28, 2003

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-TD-R RE: 2002-00833(0) Section: NY 404**

---

**Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Rainaldi Brothers, Incorporated, 205 St. Paul Street, Rochester, New York 14604, has applied for a Department of the Army permit to fill 0.78 acres of federal wetland and impact 535 linear feet of unnamed tributary to Irondequoit Creek, in the Town of Victor, Ontario County, New York.

The purpose of the project is to construct a business park known as the High Point Business Park. The applicant has indicated that they have minimized impacts to the maximum extent practicable. Existing steep gradients from on-site drumlins severely limit site lay-out. The current design develops 30% of the site, with 70% retained in green space.

The proposed project entails the following:

- a) Placement of fill into 0.78 acres of emergent and scrub/shrub wetland for the construction of access roads. The majority of this impact area is located within a large powerline corridor. The wetland has been previously disturbed by the construction and regular maintenance of this corridor.
- b) Approximately 515 feet of stream located within the wetland impact area will be filled. The applicant proposes to reroute the stream through 200 linear feet of culvert pipe and to construct 300 linear feet of new cobble lined channel. About 175 feet of this new channel will be constructed within the proposed Wetland Mitigation Area #4 and 125 feet will be constructed through existing emergent wetland. The new stream channel will include the use of bio-technical techniques and riparian plantings to ensure the new channel will not be eroded by high flows.
- c) A total of approximately 0.02 acres of wetland and stream channel will be impacted through the placement of rock riprap at four locations associated with stormwater management pond spillways and

outfall pipes. Specifically, Stormwater Management Detention Basin A will be constructed adjacent to the existing forested wetland. A 16 foot wide rock riprap spillway will be constructed in the wetland and stream channel. The wetland and stream would be subject to temporary flooding in order to provide the necessary stormwater flow rate mitigation and water quality improvement. The estimated duration and depth of ponding for up to a 100 year storm is shown on attached Sheet 9. In addition, the wetland area to be affected has been indicated on attached Sheet 8. The applicant has indicated that the temporary flooding of the forested wetland is not expected to have a long-term detrimental effect on the existing wetland and therefore is not considered as an impact.

To mitigate for the proposed wetland impacts, the applicant proposes to create 1.22 acres of emergent wetland on-site at four locations. See attached Sheets 14-16 for details of the mitigation areas. Wetland Mitigation Area #2 will contain a forebay and deep water micropool for stormwater management. These areas were excluded from the wetland mitigation acreage total. The applicant has indicated that these areas should not require maintenance and if it is required, it can be performed by upland based equipment with no impact to the wetland mitigation area. The hydrology of Wetland Mitigation Areas #1 and #3 will be supplemented with stormwater runoff. As further mitigation, the applicant proposes the preservation of 3.5 acres of high quality wooded upland buffer to the west of the large forested wetland complex, as shown on attached Sheet 8. The mitigation areas, buffer and remaining on-site wetland will be preserved in perpetuity through a conservation easement with the Town of Victor.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Bridget E. Brown, who can be contacted by calling (315) 255-8090, or by e-mail at: [bridget.brown@usace.army.mil](mailto:bridget.brown@usace.army.mil)

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project. However, Phase 1A and 1B surveys were performed by Hartgen Archaeological Associates. Two 19th century homes are located on-site. The cobblestone Bonesteele house will be adaptively reused and preserved. The second home near Valentown Road is in poor condition and will be removed. Two pre-contact sites were found on-site. The larger of the sites will be avoided. The smaller site will undergo additional Phase II investigation, effectively removing any artifacts present.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 7413 County House Road, Auburn, New York 13021, and should be marked to the attention of Bridget E. Brown, or by e-mail at: [bridget.brown@usace.army.mil](mailto:bridget.brown@usace.army.mil). A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

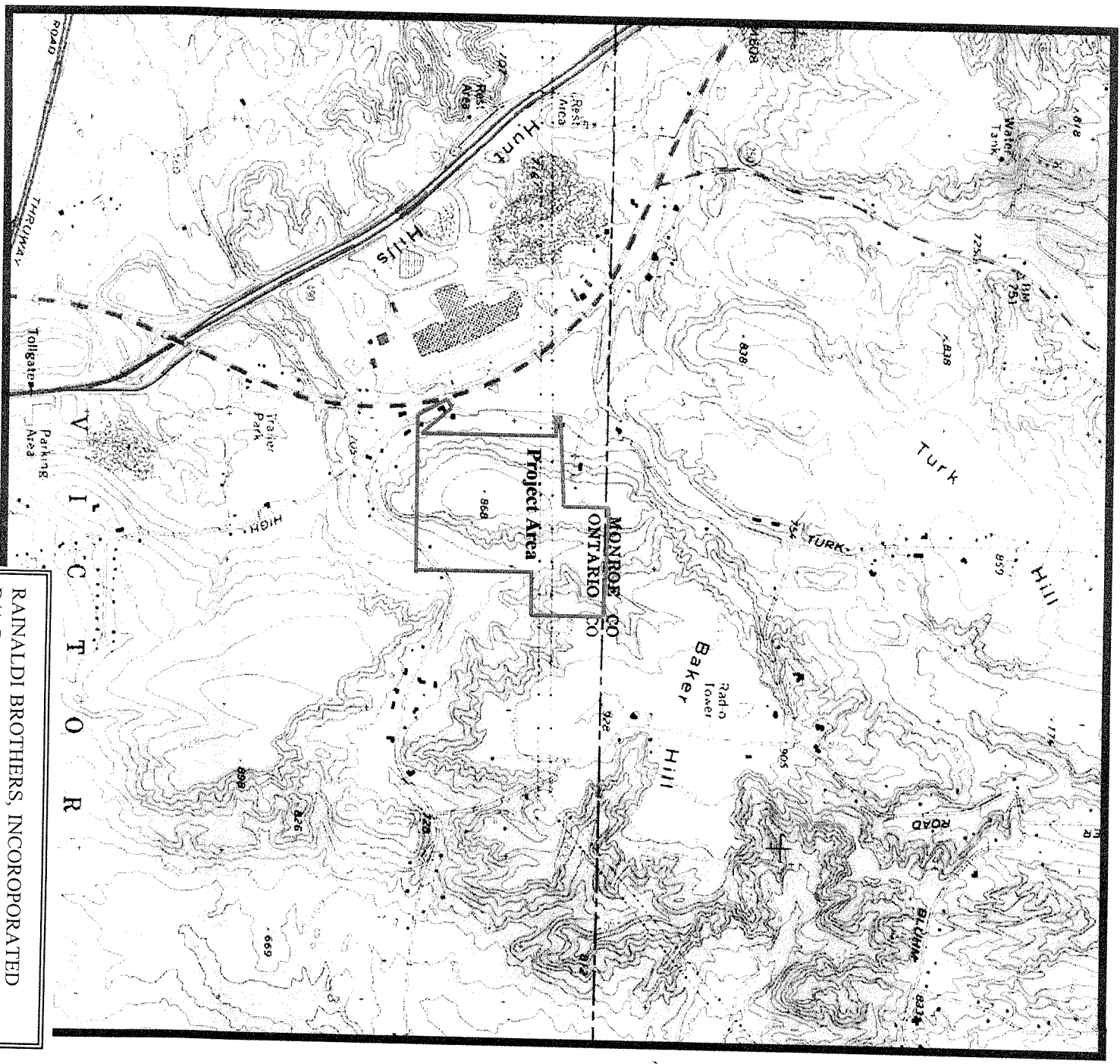
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



RAINALDI BROTHERS, INCORPORATED  
D/A Processing No. 2002-00833(0)  
Ontario County, New York Quad: FAIRPORT  
Sheet 1 of 16

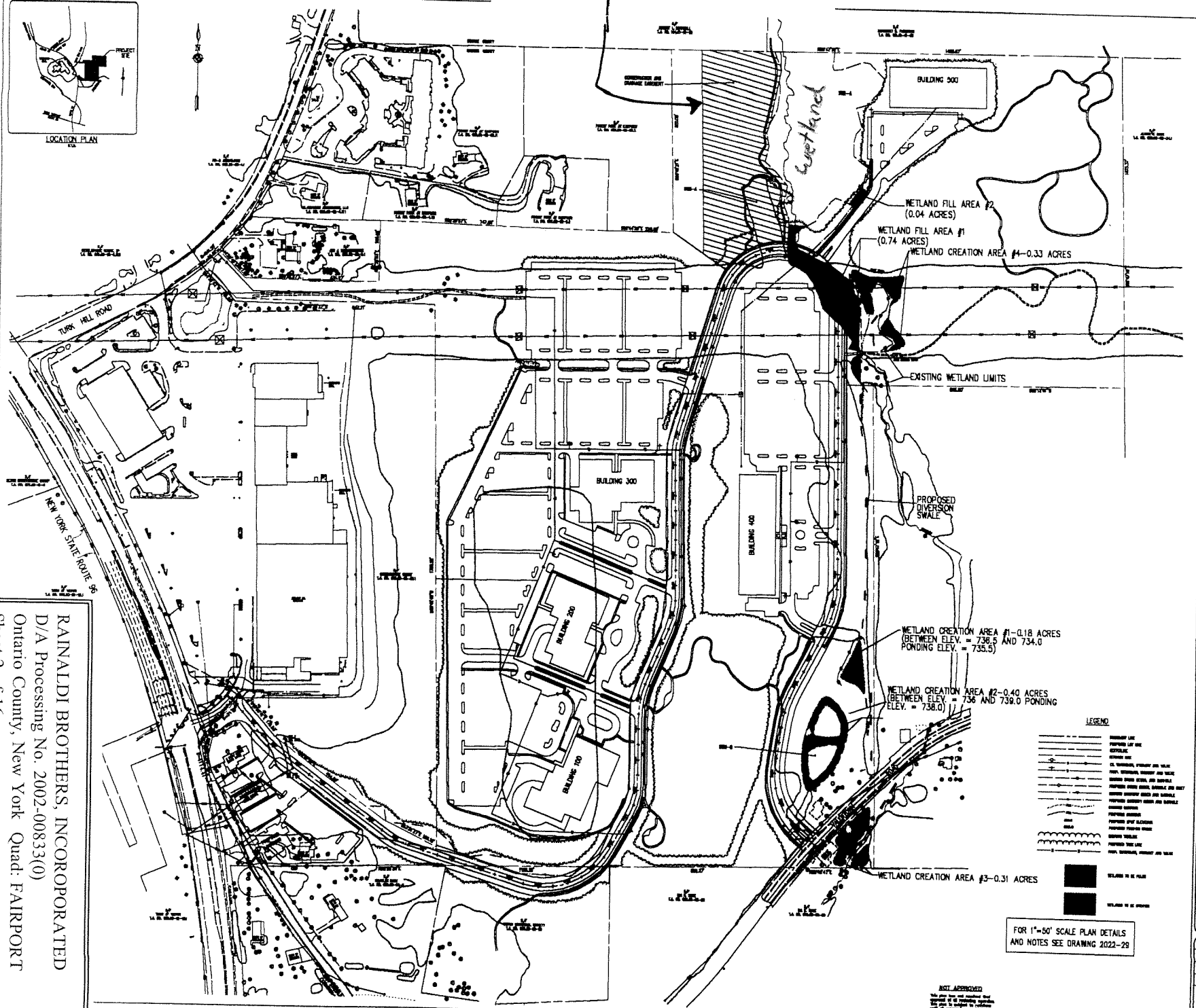
# BME

Associates

Figure 1

Project Location—USGS Map  
Ontario County, Fairport, NY Quadrangle

Scale:  
1" = 2000'±



RAINALDI BROTHERS, INCORPORATED  
D/A Processing No. 2002-00833(0)  
Ontario County, New York Quad: FAIRPORT  
Sheet 2 of 16

**NOT APPROVED**

This plan has not reached that  
 approval of all reviewing agencies.  
 This plan is subject to revision  
 until all approvals are obtained.  
 It should not be used for insurance  
 purposes.

FOR 1"=50' SCALE PLAN DETAILS  
AND NOTES SEE DRAWING 2022-29

**LEGEND**

- [illegible]

WETLAND CREATION AREA #3-0.31 ACRES

2000年1月1日

[illegible]

1	NAME OF CHAIRMAN		
2	NAME OF MEMBER		
3	NAME OF MEMBER		
4	NAME OF MEMBER		
5	NAME OF MEMBER		
6	NAME OF MEMBER		
7	NAME OF MEMBER		
8	NAME OF MEMBER		
9	NAME OF MEMBER		
10	NAME OF MEMBER		
11	NAME OF MEMBER		
12	NAME OF MEMBER		
13	NAME OF MEMBER		
14	NAME OF MEMBER		
15	NAME OF MEMBER		
16	NAME OF MEMBER		
17	NAME OF MEMBER		
18	NAME OF MEMBER		
19	NAME OF MEMBER		
20	NAME OF MEMBER		
21	NAME OF MEMBER		
22	NAME OF MEMBER		
23	NAME OF MEMBER		
24	NAME OF MEMBER		
25	NAME OF MEMBER		
26	NAME OF MEMBER		
27	NAME OF MEMBER		
28	NAME OF MEMBER		
29	NAME OF MEMBER		
30	NAME OF MEMBER		
31	NAME OF MEMBER		
32	NAME OF MEMBER		
33	NAME OF MEMBER		
34	NAME OF MEMBER		
35	NAME OF MEMBER		
36	NAME OF MEMBER		
37	NAME OF MEMBER		
38	NAME OF MEMBER		
39	NAME OF MEMBER		
40	NAME OF MEMBER		
41	NAME OF MEMBER		
42	NAME OF MEMBER		
43	NAME OF MEMBER		
44	NAME OF MEMBER		
45	NAME OF MEMBER		
46	NAME OF MEMBER		
47	NAME OF MEMBER		
48	NAME OF MEMBER		
49	NAME OF MEMBER		
50	NAME OF MEMBER		
51	NAME OF MEMBER		
52	NAME OF MEMBER		
53	NAME OF MEMBER		
54	NAME OF MEMBER		
55	NAME OF MEMBER		
56	NAME OF MEMBER		
57	NAME OF MEMBER		
58	NAME OF MEMBER		
59	NAME OF MEMBER		
60	NAME OF MEMBER		
61	NAME OF MEMBER		
62	NAME OF MEMBER		
63	NAME OF MEMBER		
64	NAME OF MEMBER		
65	NAME OF MEMBER		
66	NAME OF MEMBER		
67	NAME OF MEMBER		
68	NAME OF MEMBER		
69	NAME OF MEMBER		
70	NAME OF MEMBER		
71	NAME OF MEMBER		
72	NAME OF MEMBER		
73	NAME OF MEMBER		
74	NAME OF MEMBER		
75	NAME OF MEMBER		
76	NAME OF MEMBER		
77	NAME OF MEMBER		
78	NAME OF MEMBER		
79	NAME OF MEMBER		
80	NAME OF MEMBER		
81	NAME OF MEMBER		
82	NAME OF MEMBER		
83	NAME OF MEMBER		
84	NAME OF MEMBER		
85	NAME OF MEMBER		
86	NAME OF MEMBER		
87	NAME OF MEMBER		
88	NAME OF MEMBER		
89	NAME OF MEMBER		
90	NAME OF MEMBER		
91	NAME OF MEMBER		
92	NAME OF MEMBER		
93	NAME OF MEMBER		
94	NAME OF MEMBER		
95	NAME OF MEMBER		
96	NAME OF MEMBER		
97	NAME OF MEMBER		
98	NAME OF MEMBER		
99	NAME OF MEMBER		
100	NAME OF MEMBER		

**BME ASSOCIATES**

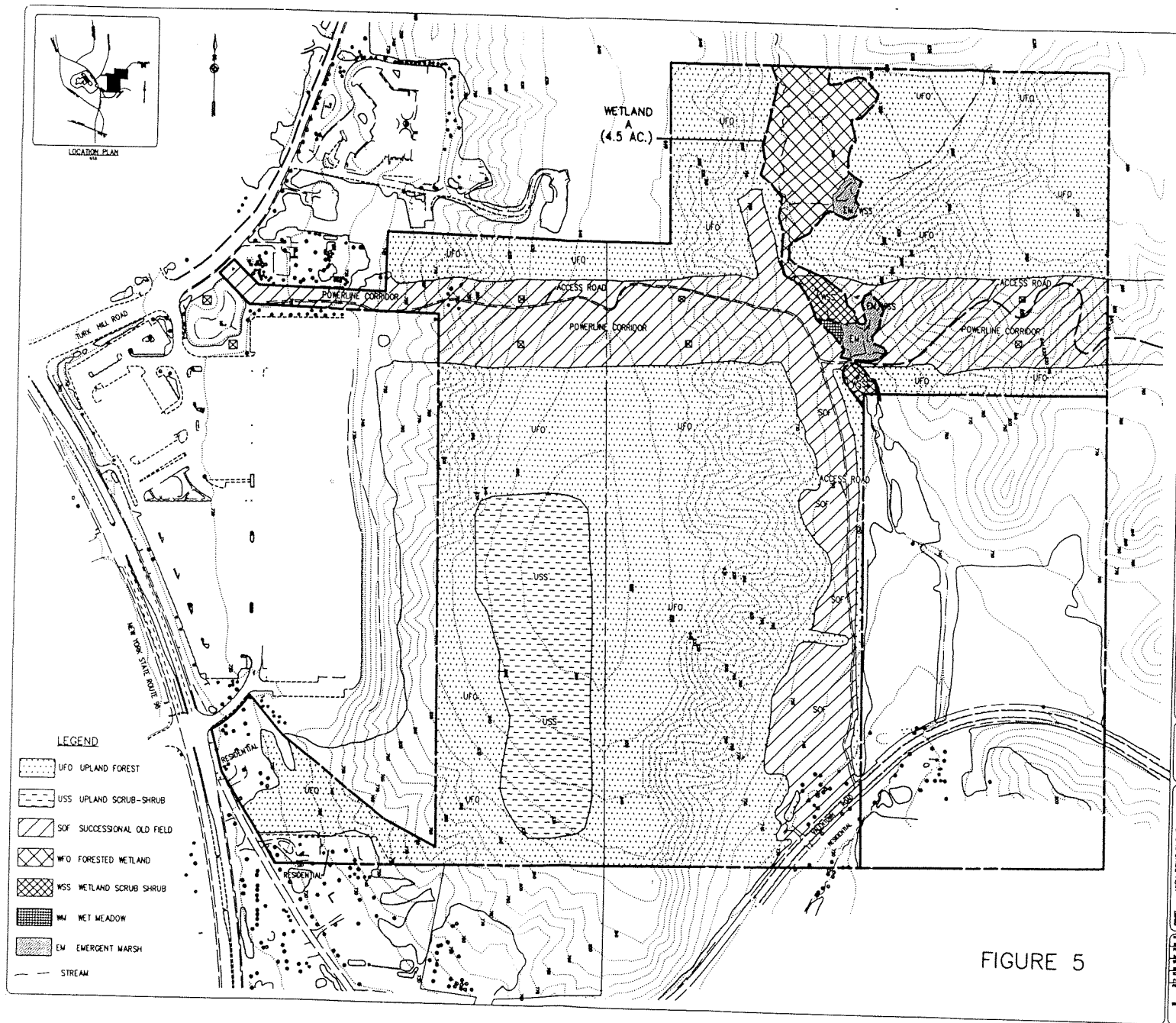
10 LEFT BRIDGE LANE SUITE  
HARTFORD, CT 06103-3400  
203-237-7200  
FAX 203-697-7200

**HIGH POINT BUSINESS PARK**  
TOWN OF VICTORIA, CANTON COUNTY, NEW YORK

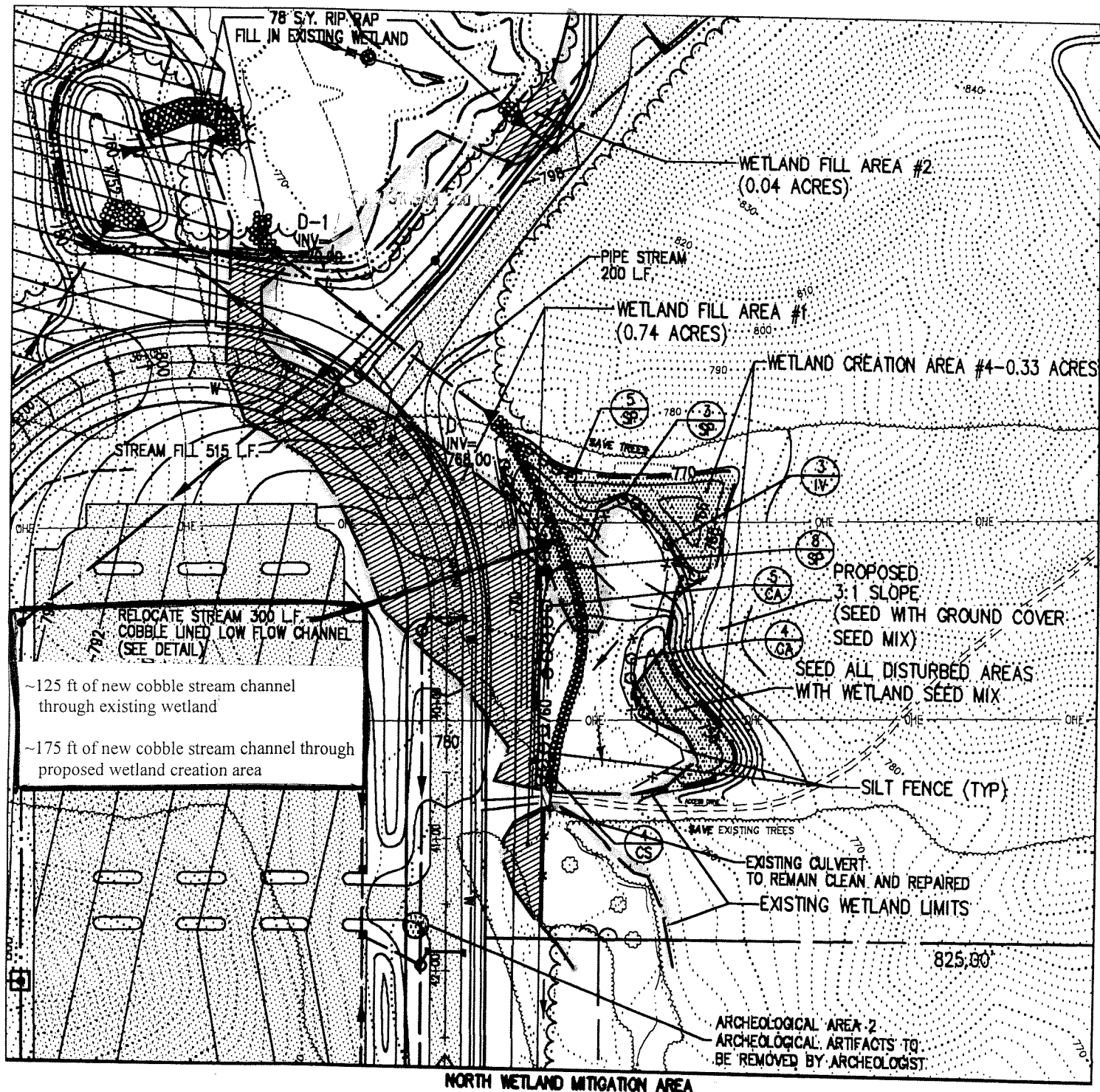
PAULINE B. BODENBERG, INC.  
200 52<sup>ND</sup> ST., 1<sup>ST</sup> FL., NEW YORK  
10036-2101, NY 10036

**PRELIMINARY DEVELOPMENT PLAN  
WETLAND MITIGATION PLAN**

[illegible]

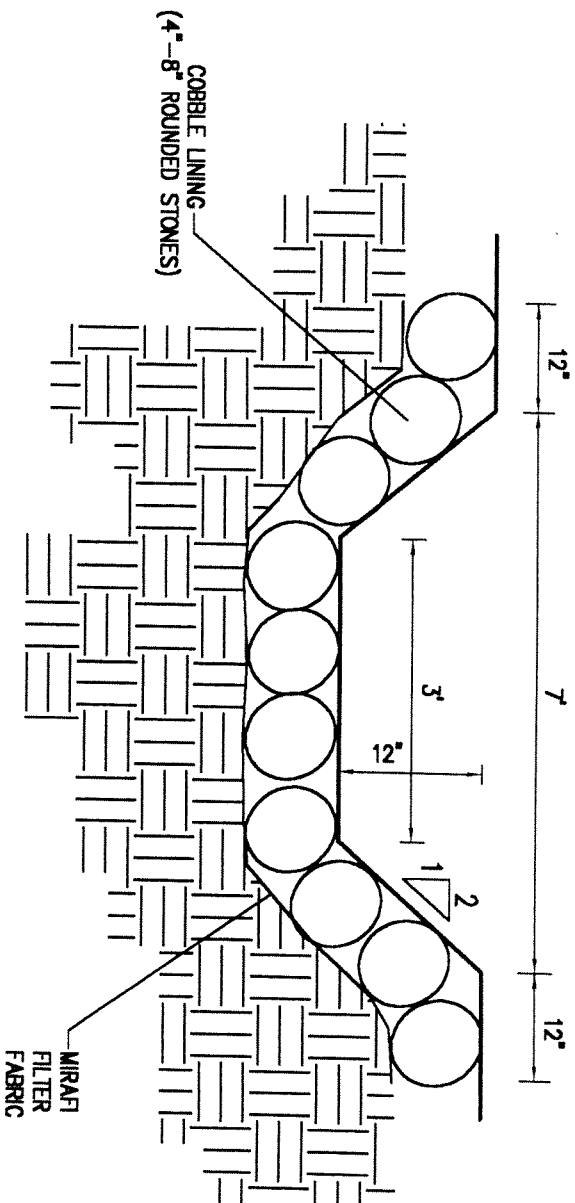






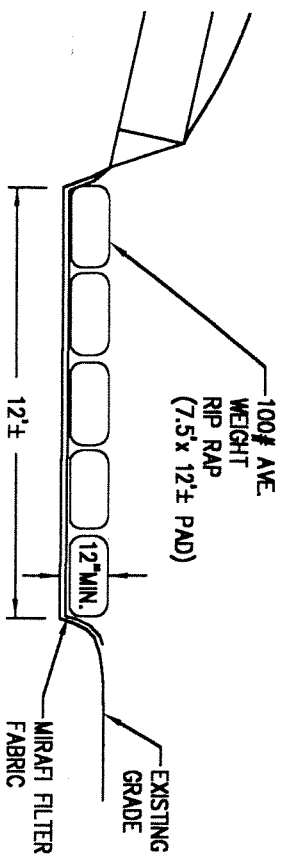
NORTH WETLAND MITIGATION AREA





## COBBLE LINED LOW FLOW CHANNEL

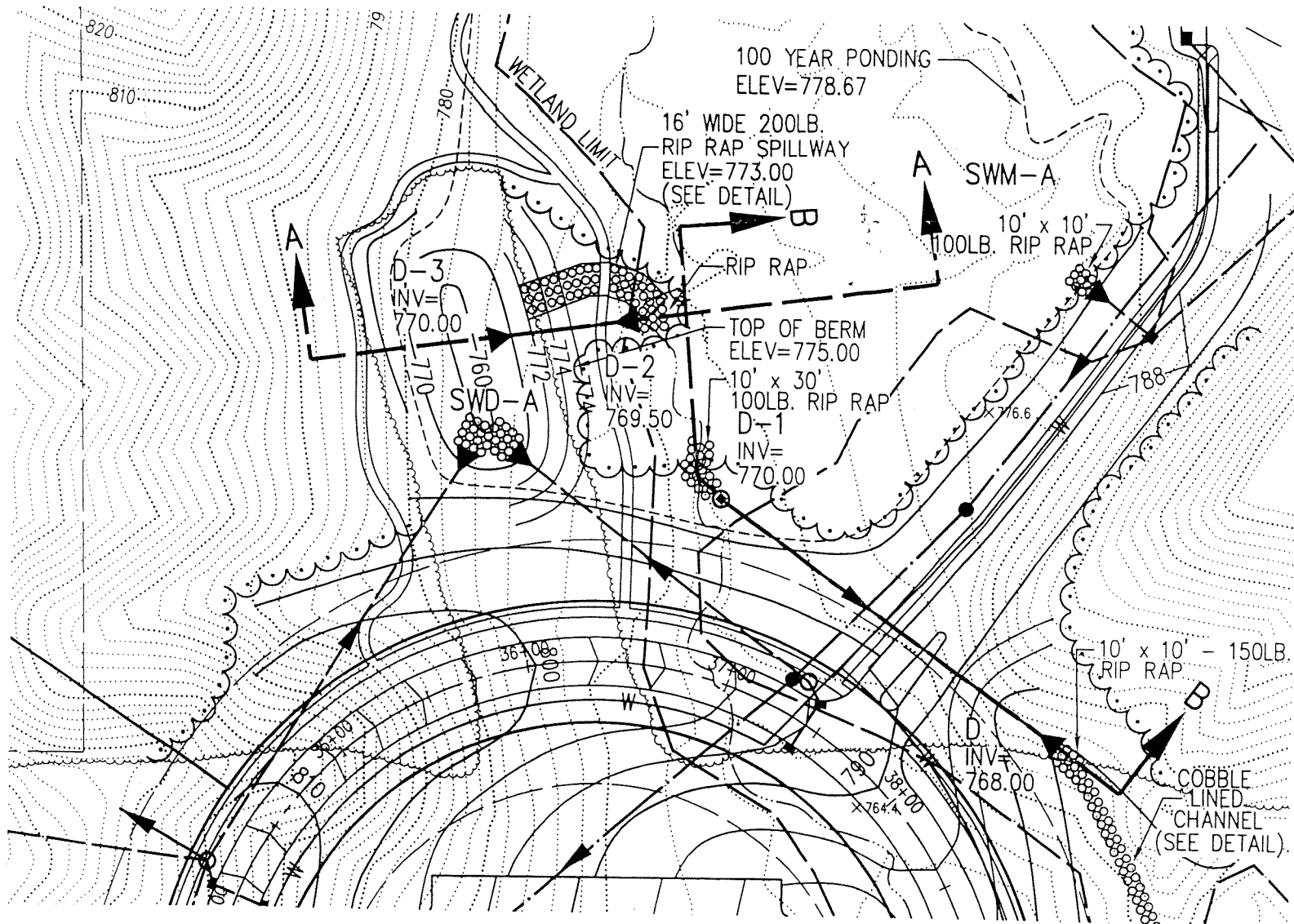
(N.T.S.)



## TYPICAL RIP RAP DETAIL

N.T.S

RAINALDI BROTHERS, INCORPORATED  
D/A Processing No. 2002-00833(0)  
Ontario County, New York Quad: FAIRPORT  
Sheet 6 of 16



**SWD-A & SWM-A**

**SCALE: 1"=50'**

N/F  
ROBERT L. ROTHWELL  
T.A. NO. 194.01-01-25

N/F  
MARGARET B. PIC  
T.A. NO. 194.01-

Storm water and conservation easement area.

3.5 acres

SWM-A

Wetland boundary

N89°47'26"E

S00°48'21"E

600.00'

SMD-A

Stream

100 YR PONDING EL

25 YR PONDING EL

10 YR PONDING EL

2 YR PONDING EL

PIPE STREAM 200 LF

PIPE STREAM 200 LF

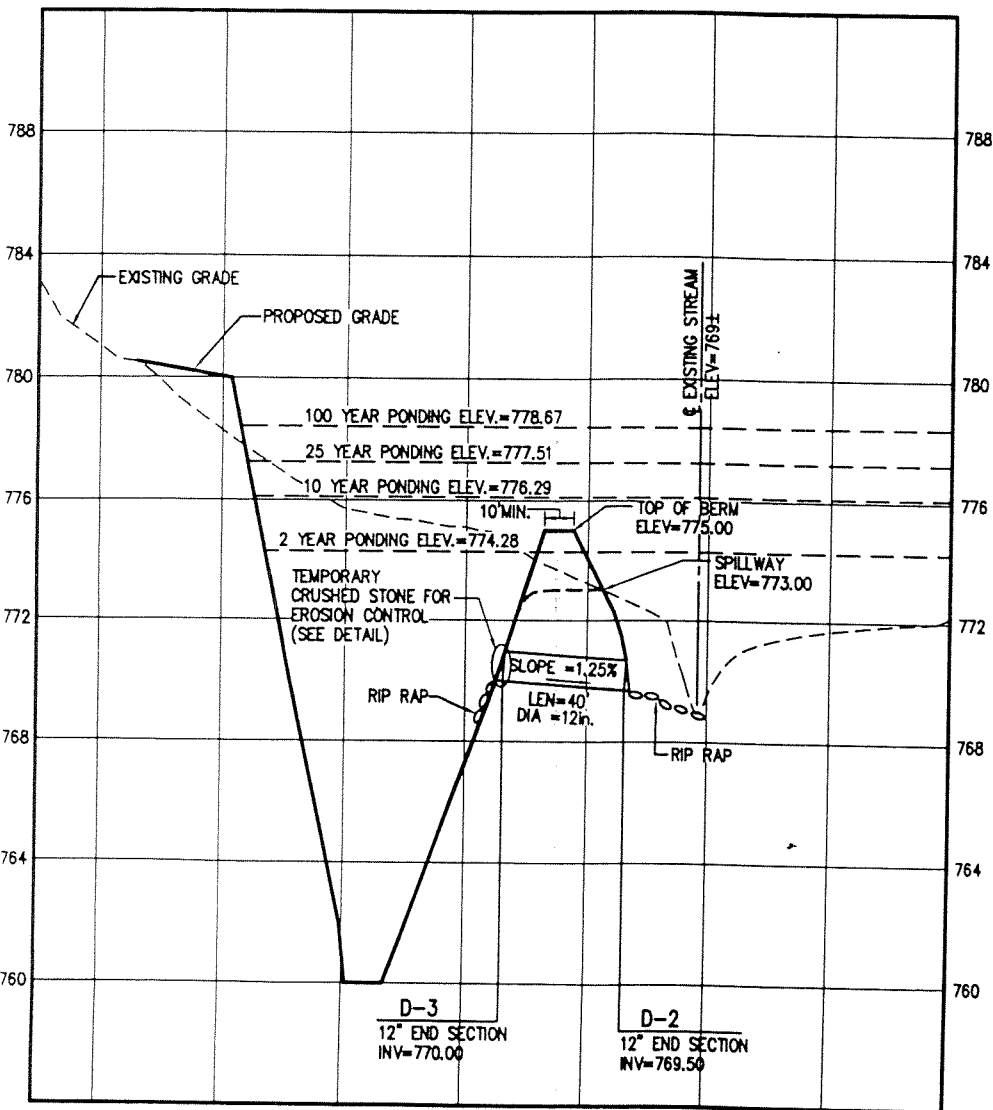
WETLAND FIL  
(0.74 ACRES)

STREAM FIL 515 LF

RELOCATE STREAM 300'  
COBBLE LINED LOW FLOW  
(SEE DETAIL)

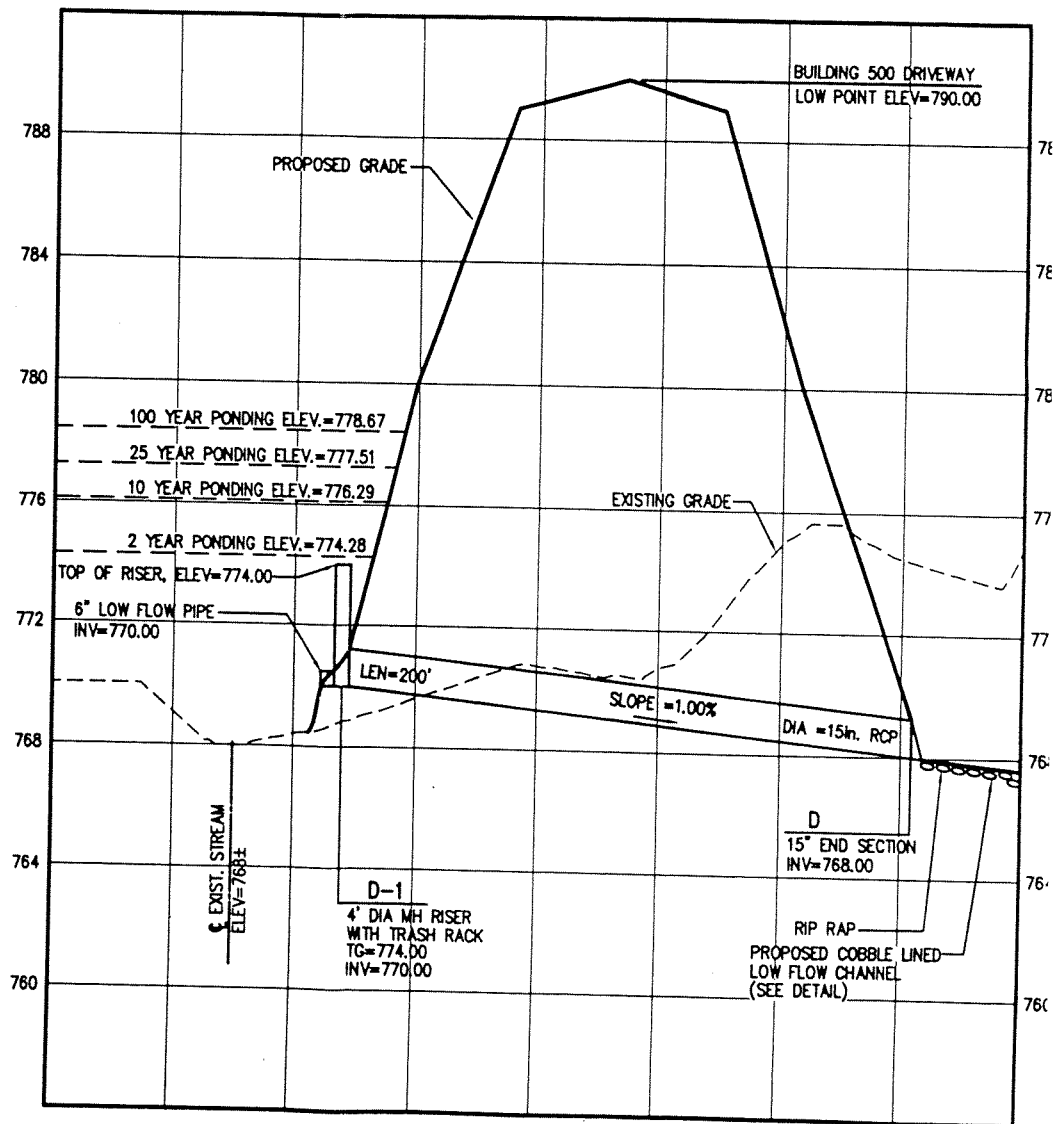
RAINALDI BROTHERS, INCORPORATED  
D/A Processing No. 2002-00833(0)  
Ontario County, New York Quad: FAIRPORT  
Sheet 8 of 16

Estimated Duration of Ponding:  
2 yr storm – 34 hours  
10 yr storm – 36 hours  
25 yr storm – 38 hours  
100 yr storm – 41 hours



SWD-A PROFILE A-A

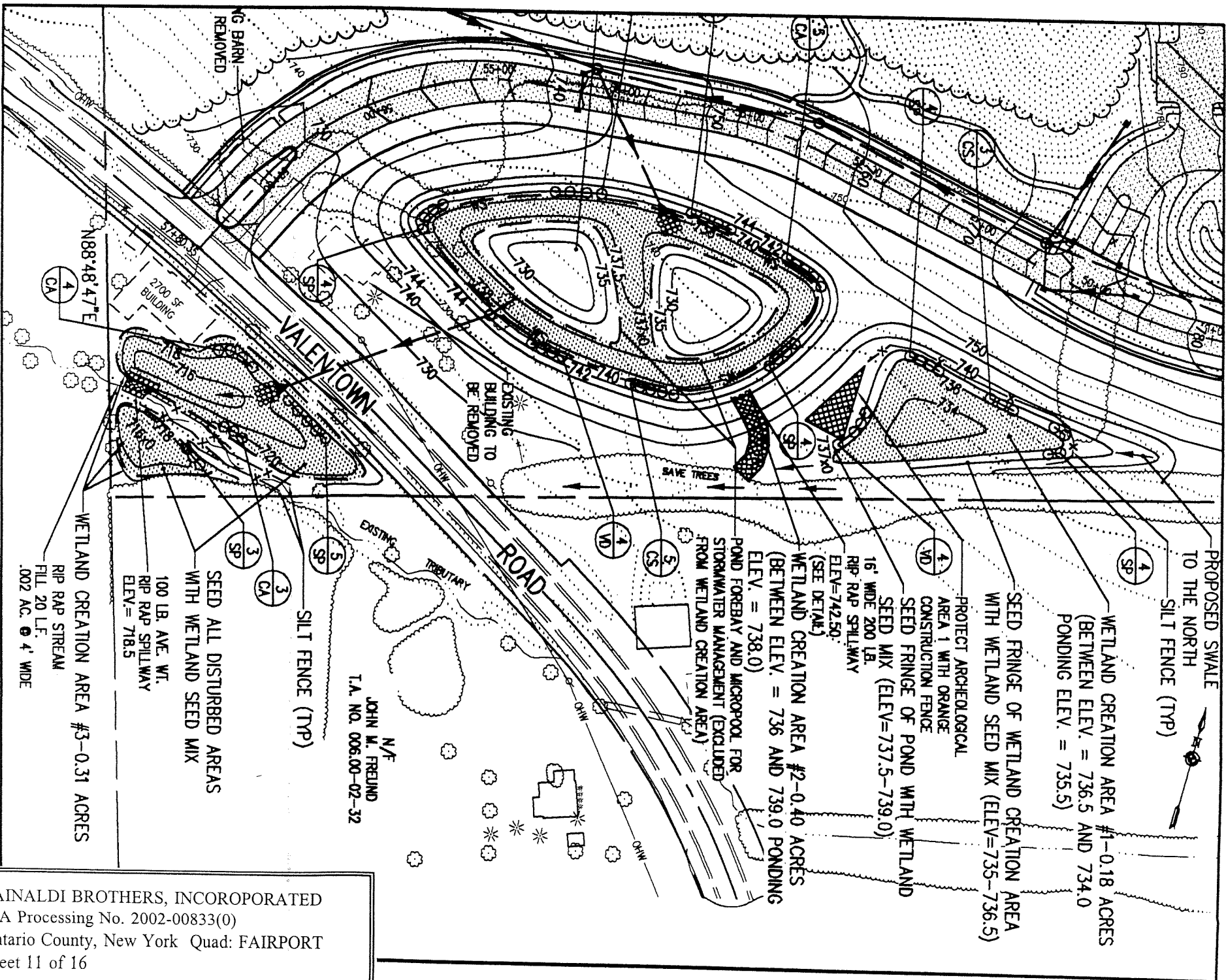
SCALE: VERTICAL 1"=5', HORIZONTAL 1"=50'

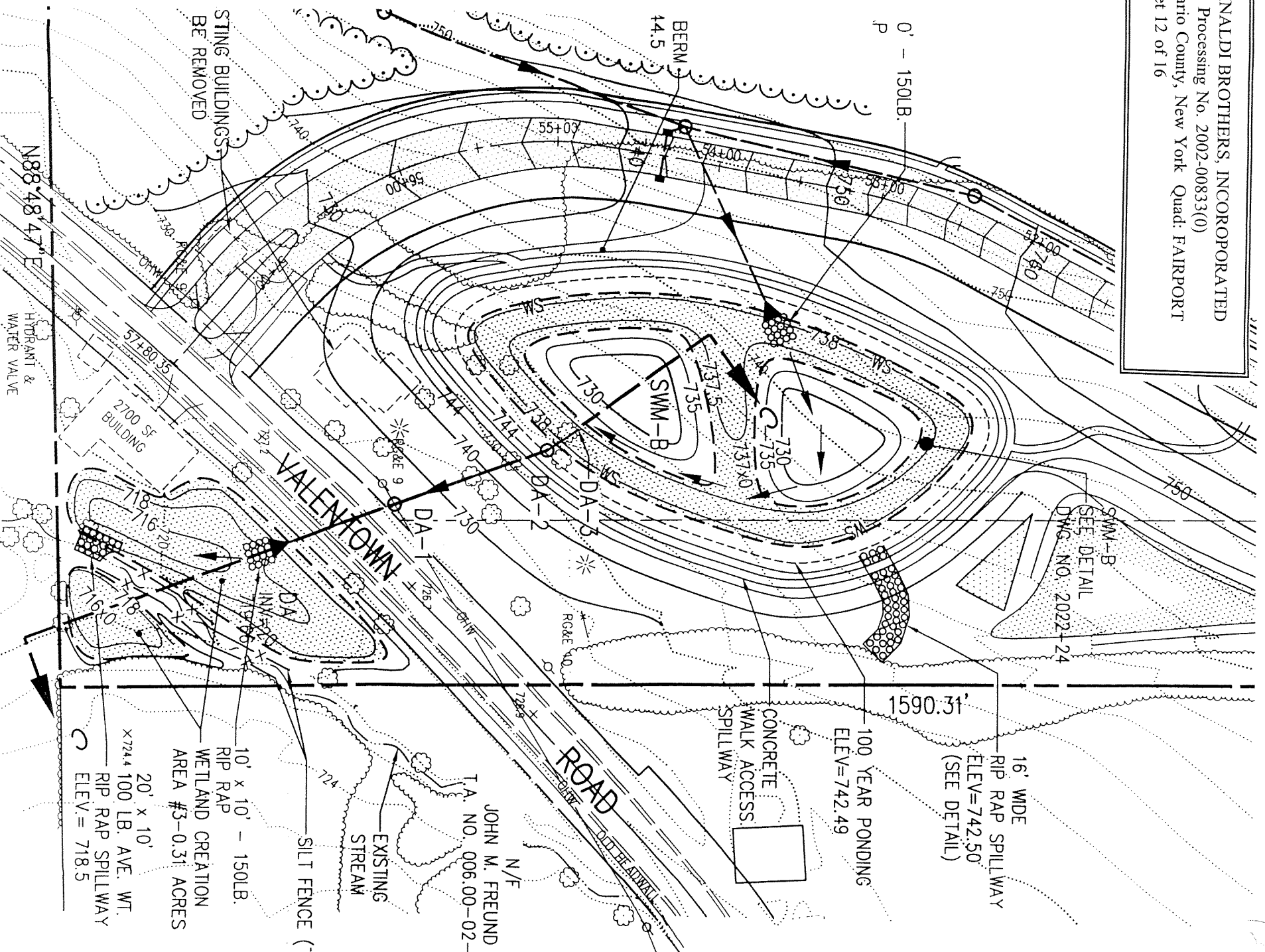


SWM-A PROFILE B-B

SCALE: VERTICAL 1"=5', HORIZONTAL 1"=50'

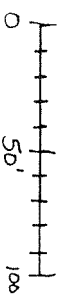
# SOUTH WETLAND MITIGATION AREA

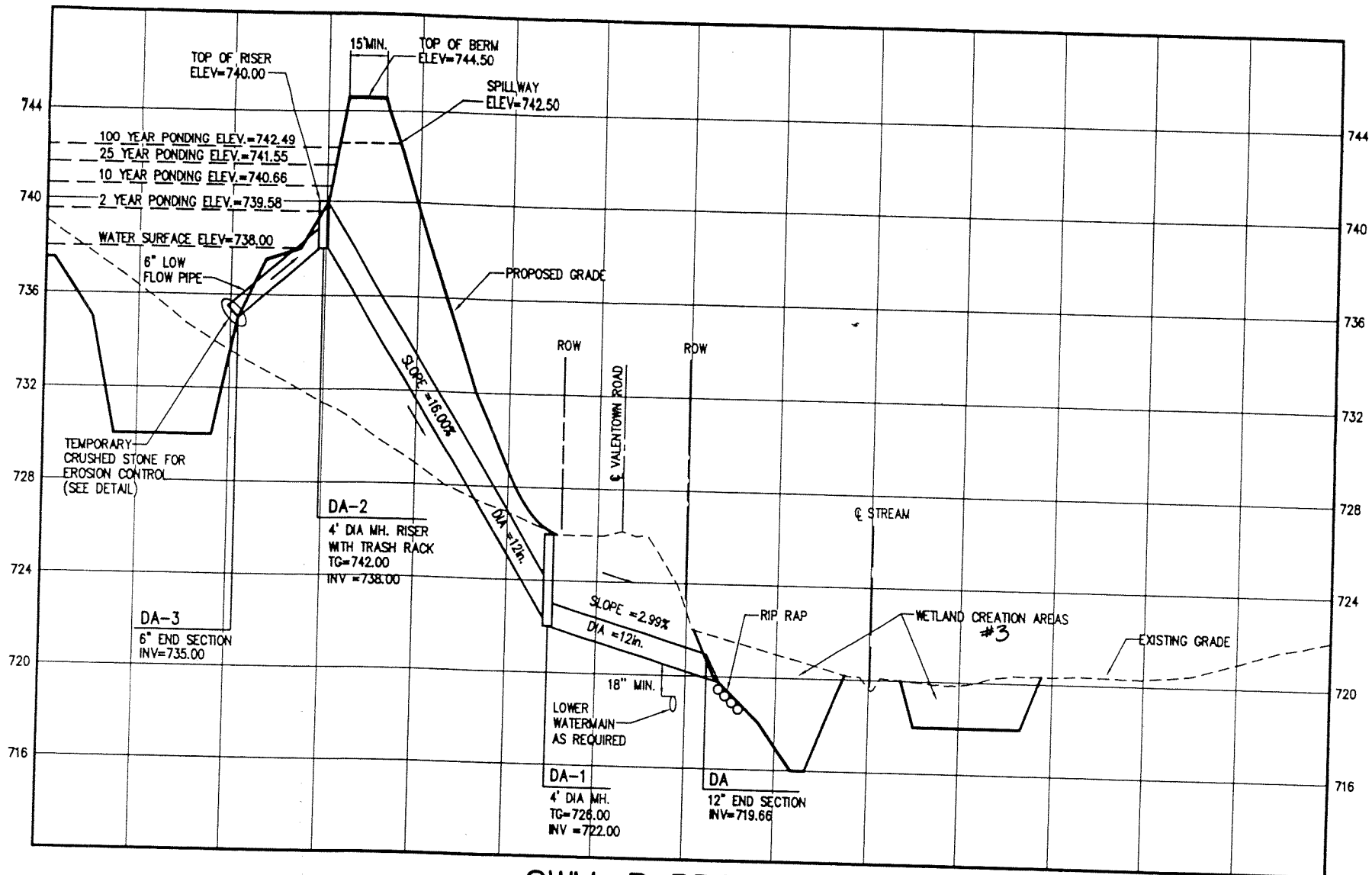




SWM-B

SCALE: 1"=50'





## SWM-B PROFILE C-C

SCALE: VERTICAL 1"=5', HORIZONTAL 1"=50'

RAINALDI BROTHERS, INCORPORATED  
D/A Processing No. 2002-00833(0)  
Ontario County, New York Quad: FAIRPORT  
Sheet 13 of 16